

AMENDED IN SENATE MARCH 23, 2006

SENATE BILL

No. 1345

Introduced by Senator Chesbro

February 17, 2006

An act to amend Section 12209 of the Public Contract Code, and to amend ~~Section 42240~~ *Sections 42240 and 42241* of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1345, as amended, Chesbro. Environmental quality: public contracts: recycled products: compost.

(1) Existing law provides various procedures and requirements pertaining to the purchase of recycled items by the state, including, among other things, compost, cocompost, and mulch.

This bill would increase, to 90%, the minimum content of certain materials, that would otherwise normally be disposed of in landfills, of which the recycled compost, cocompost, and mulch must consist.

(2) Existing law requires the Department of General Services and the Integrated Waste Management Board, in consultation with other affected state agencies to maintain specifications for the purchase of compost by the state, as prescribed.

This bill would additionally impose that duty upon the Department of Transportation.

(3) *Existing law requires the Department of Transportation to use compost in place of, or to supplement, petroleum based commercial fertilizers in the state's highway landscape maintenance program.*

This bill would require the department to increase the amounts of compost used in the state's highway landscape maintenance program, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12209 of the Public Contract Code is
2 amended to read:
3 12209. For purposes of this article, the following minimum
4 content requirements apply:
5 (a) Recycled paper products shall consist of at least 30
6 percent, by fiber weight, postconsumer fiber.
7 (b) (1) Recycled printing and writing paper shall consist of at
8 least 30 percent, by fiber weight, postconsumer fiber.
9 (2) Printed newspapers that meet the requirements of Chapter
10 15 (commencing with Section 42750) of Part 3 of Division 30 of
11 the Public Resources Code shall be considered in compliance
12 with the requirements of this section.
13 (c) For recycled compost, cocompost, and mulch, at least 90
14 percent of the product shall consist of materials, including, but
15 not limited to, the materials listed in subdivision (c) of Section
16 12207, that would otherwise be normally disposed of in landfills.
17 (d) For recycled glass, the total weight shall consist of at least
18 10 percent postconsumer material.
19 (e) Rerefined lubricating oil shall have a base oil content
20 consisting of at least 70 percent rerefined oil.
21 (f) (1) For recycled plastic products, other than printer or
22 duplication cartridges, the total weight shall consist of at least 10
23 percent postconsumer material.
24 (2) Recycled printer or duplication cartridges shall comply
25 with either the requirements set forth in subdivision (e) of
26 Section 12156 or the general requirement for recycled plastic
27 products set forth in paragraph (1).
28 (g) Recycled paint shall have a recycled content consisting of
29 at least 50 percent postconsumer paint. Preconsumer or
30 secondary paint does not qualify as “recycled paint” pursuant to
31 this subdivision. If paint containing 50 percent postconsumer
32 content is unavailable, or is restricted by a local air quality
33 management district, a state agency may substitute paint with at
34 least 10 percent postconsumer content.

1 (h) Recycled antifreeze fluid shall have a recycled content of
2 at least 70 percent postconsumer materials.

3 (i) Retreaded tires must use an existing casing that has
4 undergone an approved or accepted recapping or retreading
5 process, in accordance with Chapter 7 (commencing with Section
6 42400) of Part 3 of Division 30 of the Public Resources Code.

7 (j) For tire-derived products, the total content shall consist of
8 at least 50 percent recycled used tires.

9 (k) For recycled metal products, the total weight shall consist
10 of at least 10 percent postconsumer material.

11 (l) For reused or refurbished products, there is no minimum
12 content requirement.

13 SEC. 2. Section 42240 of the Public Resources Code is
14 amended to read:

15 42240. The Department of General Services, the Department
16 of Transportation, and the board, in consultation with other
17 affected state agencies, shall maintain specifications for the
18 purchase of compost by the State of California. The
19 specifications shall designate the state minimum operating
20 standards and product quality standards. The specifications shall
21 be designed to maximize the use of compost without jeopardizing
22 the safety and health of the citizens of the state or the
23 environment.

24 SEC. 3. Section 42241 of the Public Resources Code is
25 amended to read:

26 42241. ~~On or after January 1, 1991, the~~ The Department of
27 Transportation shall use compost in place of, or to supplement,
28 petroleum-based commercial fertilizers in the state's highway
29 landscape maintenance program: *as follows*:

30 (a) 500,000 tons in 2007.

31 (b) 750,000 tons in 2008.

32 (c) 1,000,000 tons in 2009.

33 (d) More than 1,000,000 tons in 2010 and each year
34 thereafter.